

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CHERYLELEIGH FRANKS,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

CASE NO. C21-5795-MAT

ORDER TO SHOW CAUSE FOR
FAILURE TO PROSECUTE

Plaintiff filed a Motion for Leave to Proceed In Forma Pauperis (IFP) (Dkt. 1) on October 27, 2021. IFP status was granted on October 28, 2021, and, on that same date, the Complaint (Dkt. 4) was filed and the Summonses permitting effective service of process were issued (Dkt. 5). Federal Rule of Civil Procedure 4(m) requires a plaintiff to serve the defendant with the summons within 90 days of the date the Complaint is filed. The Order granting IFP advised that Plaintiff was responsible for serving the Complaint and Summonses upon the Defendant and must file a proof of service as required by Rule 4 of the Federal Rules of Civil Procedure.

Plaintiff was required to effect service by January 26, 2022. To date, there has been no docket activity indicating either that the Complaint has been served on the Defendant, or that this matter has been voluntarily withdrawn by Plaintiff.

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1 Therefore, it is ORDERED that Plaintiff SHOW CAUSE within **fourteen (14) days** of the
2 date of this Order why this matter should not be dismissed without prejudice for failure to
3 prosecute, pursuant to Federal Rules of Civil Procedure (m).

4 DATED this 28th day of January, 2022.

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7 MARY ALICE THEILER
United States Magistrate Judge
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